



3711

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Sullivan, et al.
FOR : IMPROVED MULTI-LAYER GOLF
SPECIALTY
BALL
SERIAL NO. : 08/09/926,872
FILED : September 10, 1997
GROUP ART UNIT : 3711
EXAMINER : R. Gorden
LAST OFFICE ACTION : September 13, 2000
ATTORNEY DOCKET NO. : SLD 2 0121
P-4628-D1

Cleveland, Ohio 44114-2518
Date: 12/22/2000

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Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Applicants respectfully submit the attached documents and payment of fees for the consideration of the Examiner:

COMMUNICATION TO THE EXAMINER

No Fee Required

TERMINAL DISCLAIMER TO OBLIGATE A
DOUBLE PATENTING REJECTION (37 CFR 1.321(b))
(REVISED PURSUANT TO EXAMINER'S COMMENTS IN
ADVISORY ACTION DATED OCTOBER 10, 2000)

XX A check in the amount of \$110.00 has already been submitted for the present Terminal Disclaimer on September 13, 2000. No fee is required for the present Terminal Disclaimer.

XX TERMINAL DISCLAIMER TO OBLIGATE A
DOUBLE PATENTING REJECTION (37 CFR 1.321(b))

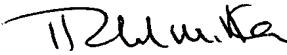
XX Check in the amount of \$110.00

XX Check in the amount of \$130.00, which is the proper fee to file an Information Disclosure Statement under 1.97(d), to ensure the consideration of the documents referenced in the Information Disclosure Statement, which was filed on September 1, 2000.

If the Examiner has any questions regarding the present application, the Examiner is respectfully requested to contact one of the attorneys below.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Richard M. Klein
Reg. No. 33,000
Mark E. Bandy
Reg. No. 35,788
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2518
Tel: (216) 861-5582
Fax: (216) 241-1666

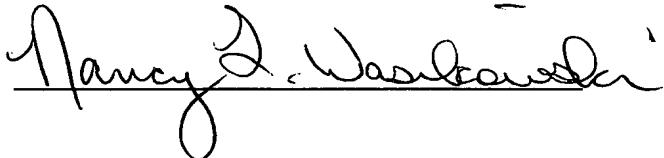
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CERTIFICATE OF MAILING

I hereby certify that this COMMUNICATION TO THE EXAMINER in connection with U.S. Patent Application Serial No. 09/926,872 is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on December 22, 2000.

By:



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Sullivan, et al.

FOR

IMPROVED MULTI-LAYER GOLF
BALL

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EXAMINER

R. Gorden

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Cleveland, Ohio 44114-2518

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Date: 12/22/2000

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COMMUNICATION TO THE EXAMINER

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

The present Communication is a response to two issues discussed by the Examiner in the Advisory Action of October 10, 2000. Particularly, the present Communication responds to (1) the issue of a properly signed Terminal Disclaimer, and (2) the issue of whether the IDS filed on September 1, 2000 should be considered even though the IDS lacked the petition fee set forth in 37 C.F.R. 1.17(i).

Regarding the IDS of September 1, 2000, two references were disclosed: (1) GB 2278609 and (2) GB 2299999. GB 2278609 claims priority from U.S. Application Serial No. 08/070,510, which is the same application from which the present application claims priority. GB 2299999 claims priority from U.S. Patent No. 5,713,802, which was already disclosed in the Information Disclosure Statement dated April 8, 1999 and considered by Examiner Raeann Gorden on March 1, 2000. Since GB 2278609 is the

same as U.S. Application Serial No. 08/070,510, which is the application that the present application claims priority from, and GB 2299999 is the same as U.S. Patent No. 5,713,802, which was already considered by the Examiner, no further consideration of those two references is required. However, to ensure that these documents are noted as being of record in this application, Applicants have included the appropriate fee of \$130.00 in accordance with 37 C.F.R. § 1.97(d).

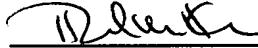
Regarding the Terminal Disclaimer, Applicants herein respectfully submit two Terminal Disclaimers signed by Diane F. Covello, one of the attorneys of record on the present application.

If the Examiner has any questions regarding the present application, the Examiner is respectfully requested to contact one of the attorneys below.



Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Richard M. Klein
Reg. No. 33,000
Mark E. Bandy
Reg. No. 35,788
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2518
Tel: (216) 861-5582
Fax: (216) 241-1666

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By:

